

Garbow, Avi

From: Garbow, Avi
Sent: Wednesday, March 16, 2016 10:53 AM
To: Meiburg, Stan; (b)(6) Administrator's EPA email; Fritz, Matthew
Subject: RE: Cabinet call 10:15 3/16/2016

Thanks, Stan. By so many accounts, Chief Judge Garland is eminently qualified and will be an exceptional nominee. He also happened to be on the panel that both upheld MATS (prior to S.Ct. review), and also voted for remand without vacatur more recently.

Avi

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-----Original Message-----

From: Meiburg, Stan
Sent: Wednesday, March 16, 2016 10:27 AM
To: (b)(6) Administrator's EPA email address; Fritz, Matthew <Fritz.Matthew@epa.gov>
Cc: Garbow, Avi <Garbow.Avi@epa.gov>
Subject: Cabinet call 10:15 3/16/2016

My notes on the Cabinet call 10:15 3/16/2016

Opened by Dennis McDonough, Broderick Johnson

Julian Castro, Penny Pritzker, many others on phone

DC Circuit Chief Judge Merrick Garland will be nominated for Supreme Court at 11:00 this morning.

Not just Constitutional obligation, but obvious negative consequences for the country if there is not a nomination

--Court may defer decisions, or not take up critical questions --Divided circuits on key legal questions

Calls from POTUS, Dennis, Brian already--starting strong, opening to make the case to the country

Brian--

- 1) There is no plausible argument why this person is not qualified to serve on the Supreme Court--exceptionally qualified
- 2) Lots of others, both GOP and Democrats, have already said that
- 3) Judge Garland has an extraordinary life story; including coordinating Federal response to OKC bombing for months; understanding about how law affects real life people in real life communities

We have to do everything we can to take this out of the politics of the moment.

Dennis--POTUS remarks at Speaker's breakfast on obligations facing political leadership of the country--returning our dialogue to the kind of conversation we'd be comfortable having our kids witness. Will circulate POTUS remarks to the Speaker's breakfast. POTUS feels really good about it.

Secretary Pritzker, Secretary Burwell spoke very highly of Judge Garland as a person.

Sent from my iPad